

COMMITTEE OF THE WHOLE JUNE 14, 2011

**SITE DEVELOPMENT FILE DA.10.101
DUFFERIN CONTWO INVESTMENTS LTD.
WARD 4**

Recommendation

The Director of Development Planning recommends:

1. THAT the Ontario Municipal Board (OMB) be advised that the City endorses Site Development File DA.10.101 (Dufferin Contwo Investments Ltd.), to permit a single storey, multi-unit commercial plaza as shown on Attachment #3, subject to the following conditions:
 - a) that the Vaughan Development Planning Department continue to work with the Applicant and their consultants to address the outstanding issues respecting the building elevation drawings, which must be substantially upgraded to improve the roof articulation and parapet design; and,
 - b) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, landscape plan, and upgraded building elevations shall be approved to the satisfaction of the Vaughan Development Planning Department; and,
 - ii) the final site servicing, grading and stormwater management plans shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.
2. THAT should Site Development File DA.10.001 (Dufferin Contwo Investments Ltd.) proceed to an Ontario Municipal Board (OMB) Hearing, that City of Vaughan staff BE DIRECTED to attend the OMB Hearing in support of the recommendations included in this report.
3. THAT should the Ontario Municipal Board (OMB) approve the related Minor Variance Application A143/11, that the OMB BE REQUESTED to include all standard conditions of approval of the City of Vaughan Committee of Adjustment.

Contribution to Sustainability

The Applicant has advised that the following sustainable features will be incorporated into the site and building design:

- i) pedestrian pathways linking the site to the municipal sidewalks and transit bus routes on Dufferin Street and Autumn Hill Boulevard together with bike racks and benches, to promote walking and alternatives to cars;
- ii) landscaping including the use of native drought tolerant plants;
- iii) low flow plumbing fixtures;
- iv) Merv 11 filters and non-ozone depleting refrigerants for the air conditioning units;
- v) photocells and timers on exterior lights with shields to minimize the spill of light from the site; and,

- vi) low emissivity windows, light coloured high reflective roofing membrane, overhangs and shading from canopies, and clerestory windows for natural lighting.

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

N/A

Purpose

The Owner has submitted Site Development File DA.10.101 to facilitate the development of a 1-storey, multi-unit commercial plaza as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the northeast corner of Dufferin Street and Autumn Hill Boulevard being Block 286 on Plan 65M-3591, in Lot 14, Concession 2, City of Vaughan (Ward 4).

Ontario Municipal Board

On April 18, 2011, the applicant appealed Site Development File DA.10.101 to the Ontario Municipal Board (OMB) under Section 41(12) of the Planning Act, R.S.O. 1990,c.P.13, as amended, with respect to Council's failure to make a decision on the application (submitted on November 11, 2010) within the maximum timeframe stipulated in the Planning Act (30 days). On May 6, 2011, the applicant also submitted a related Minor Variance File A143/11 to the Vaughan Committee of Adjustment, which is scheduled to be considered on June 16, 2011. The agent for the Owner has advised that this Variance Application will also be appealed to the Ontario Municipal Board and consolidated with the appeal of the site plan application. An OMB Hearing to consider these appeals will be scheduled sometime in the near future. A recommendation has been included to direct City staff to attend the OMB Hearing in support of the recommendations in this report, if endorsed by Council. In the interim, the Development Planning Department will continue to work with the applicant to resolve the main contentious issue to improve the roof articulation and parapet design, in order to eliminate the necessity for an OMB Hearing. Staff are satisfied with the overall site plan and landscape plan but not with the roof and parapet design, which needs to be significantly upgraded as discussed in the "Building Elevations" section of this report.

Official Plan

The subject lands are designated "Medium Density Residential-Commercial Area" by OPA #600 (Carrville – Urban Village 2), which permits and encourages the development of a primarily residential area with limited commercial uses at grade along transit routes to encourage and facilitate pedestrian movement. OPA #600 states that urban design within the "Medium Density Residential-Commercial Areas" will emphasize low rise development, creating attractive pedestrian-friendly streetscapes to enable residents to walk conveniently and safely to streets with transit.

The policies of OPA #600 permit small-scale retail and office commercial uses, provided such uses face a primary street or arterial road and that development is in a form and scale sensitive to and compatible with the character and use of the surrounding residential community.

The subject lands are designated "Low-Rise Mixed-Use" by the new City of Vaughan Official Plan 2010 (VOP 2010), which is pending final approval from the Region of York. The "Low-Rise Mixed Use" designation permits retail uses.

The proposal conforms to the Official Plans.

Zoning

The subject lands are zoned C3 Local Commercial Zone by Zoning By-law 1-88, subject to site specific Exception 9(1063), which permits the additional uses of an Eating Establishment, Eating Establishment Convenience, and Eating Establishment Take-out, on the subject lands provided that the gross floor area of any or all eating establishment uses does not collectively exceed a maximum of 20% of the total gross floor area of the development.

Through the technical review of Site Development File DA.10.101, it was determined that the following variances to Zoning By-law 1-88 are required to implement the proposed development:

	By-law Standard	By-law 1-88, C3 Local Commercial Zone Requirements	Proposed Exceptions to C3 Zone
a)	Minimum Rear Yard Setback (Landwood Avenue)	9 m	5.85 m
b)	Minimum Indoor Sideyard Setback (North Property Line)	9 m	4 m
c)	Minimum Exterior Side Yard Setback (Autumn Hill Boulevard)	11 m	3 m
d)	Minimum Setback to a Residential Zone (North Property Line)	9 m	4 m
e)	Driveway Access	Maximum Driveway Width of 7.5m	9m (Dufferin Street)

	By-law Standard	By-law 1-88, C3 Local Commercial Zone Requirements	Proposed Exceptions to C3 Zone
f)	Minimum Parking Requirement	Commercial Area = 1545.6 m ² @ 6 spaces/100m ² GFA = 93 parking spaces including 1 handicapped space	72 parking spaces including 2 handicapped spaces
g)	Landscaping	<p>i) Minimum 6m wide along Autumn Hill Boulevard, Landwood Avenue, and Dufferin Street</p> <p>ii) Where a Commercial Zone abuts the boundary of lands zoned Residential (north), a strip of land not less than 2.4 m in width is required, and shall not be included in the calculation of minimum landscaping requirements</p>	<p>i) 3 m, 5.85 m, and 4 m wide landscape strips along Autumn Hill Boulevard, Landwood Avenue, and Dufferin Street, respectively</p> <p>ii) Permit the 2.4 m wide landscape strip (north) to be used in computing the minimum landscaping requirement of 10%</p>
h)	Outdoor Patio Uses	<p>Outdoor patios are permitted accessory to an "Eating Establishment" and "Convenience Eating Establishment", in accordance with the following (in part):</p> <p>- the parking requirement for the outdoor patio is equal to the parking requirement for the main use</p>	Exclude the outdoor patio area from the calculation for required parking for the Eating Establishment and Convenience Eating Establishment uses

The Owner has filed a Minor Variance Application (File A143/11) for approval of the variances, which is scheduled to be considered by the Vaughan Committee of Adjustment on June 16, 2011.

The Development Planning Department can support the variances to implement the proposed development shown on Attachments #3 and #4. The proposed driveway to Dufferin Street has been widened to accommodate right-in/right-out turning movements onto Dufferin Street in accordance with comments from the Region of York. A parking study was prepared in support of

the proposed reduction in parking and has been reviewed and approved by the Vaughan Development/Transportation Engineering Department. One outdoor patio is proposed on the site adjacent to a proposed eating establishment, and the patio parking was considered in the parking study.

The reduction in the width of the landscape strips and building setbacks has been reviewed in light of the site abutting 3 roads and having sufficient lands to develop. Appropriate landscaping material is proposed within the landscape strips adjacent to the roads and existing residential, and decorative fencing will be provided around the outdoor patio. The required variances must be approved by the Vaughan Committee of Adjustment, or the OMB as discussed earlier, and shall be final and binding, prior to the execution of the implementing Site Plan Letter of Undertaking.

Site Plan

The proposed site plan includes a single storey, L-shaped, multi-unit, commercial building, with access from Dufferin Street and Autumn Hill Boulevard, with associated parking and landscaped areas, as shown on Attachments #3 and #4. The Development Planning Department is satisfied with the site plan and landscape plan, which includes perimeter landscaping around the site and a landscaped pedestrian walkway connection extending from the arterial intersection through the site to the building. In addition, the site plan facilitates a planned outdoor patio for an eating establishment. Prior to final approval of the application, the site plan and landscape plan must be approved to the satisfaction of the Vaughan Development Planning Department.

Building Elevations

The proposed building elevations are shown on Attachments #5 and #6. The proposed L-shaped building is single storey, and finished in brick masonry and stucco and with clear glazed windows. The rear of the retail units will face Landwood Avenue (a residential street) and the rear yards of the existing residential properties to the north. The east elevation will be consistent in appearance with the west and south elevations. The City requires high quality elevations for these building facades to mitigate the impact of the residential/commercial interface and to provide a more appealing streetscape along Landwood Avenue, which the applicant has achieved below the roofline.

The Development Planning Department has reviewed the building elevations shown on Attachments #5 and #6 and are not satisfied with the proposed roof design and parapet which consists of a low-pitched, blue metal roof with a parapet utilizing triangular and semi-circle parapet elements. The Development Planning Department requires that the building elevations be revised to include further parapet wall/roof articulation to provide for attractive and visually appealing roof lines and to utilize a roofing material and design that is complementary with those used throughout the Thornhill Woods community (ie. higher brick, precast or stone parapet with more articulation of the roofline; not a low flat metal roof).

The applicant contends that the City's request for landscape screening along the north and east building facades will partially screen the visibility of the roof, particularly above the fence from the rear yards of the adjacent residential lots to the north. The applicant further contends that the south and west building elevations replicate a pattern intended to give the impression of "individual houses around a piazza, rather than a commercial façade". The Development Planning Department is currently working with the applicant and their architect to achieve the recommended changes being sought by Staff, to the roof design and parapet, as discussed in this report, in order to eliminate the necessity for an OMB Hearing.

Canada Post

Canada Post requires a Community Mail box on the site with an appropriate sidewalk connection and a concrete pad located to their satisfaction, and that all offers of lease from the applicant include a statement that mail delivery will be from the Community Mailbox.

Vaughan Enforcement Services

The Vaughan Enforcement Services Department requires that garbage be stored internal to the building and that the exterior lighting on the site not illuminate the adjoining street or properties. The Site Plan shows all garbage storage will be internal to the building (in Unit A-1) and the photometric lighting plan illustrates that the lighting will be contained on the site.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department in comments dated April 29, 2011 has requested the following revisions to the site plan and the site servicing and grading plans:

- i) a 1.5m wide sidewalk along Dufferin Street and the related cost estimate;
- ii) pedestrian walkways connecting the site to the existing and proposed municipal sidewalks;
- iii) a reference plan for the conveyance of the required 0.3m reserves along Autumn Hill Boulevard and Landwood Avenue;
- iv) the Owner shall apply for the dedication by-law for the dedication of the 0.3m reserve;
- v) a stormwater management summary must be added to the site servicing and grading plan and the overland flow route must be shown;
- vi) the existing municipal sidewalk through the driveway must be removed and replaced with a 200mm thick sidewalk in accordance with City standards;
- vii) the site servicing and grading plan does not reflect the site plan. The Owner must confirm which drawing is correct and shall revise the other plans and stormwater management plan/report, accordingly;
- viii) the site servicing and grading plan and stormwater management report shall be reviewed and certified by the consulting engineers for Draft Plan of Subdivision File 19T-90V008 (Dufferin Contwo Investments Limited); and,
- vix) the necessary approvals shall be obtained from the Region of York.

The applicant has not provided the City with a revised submission. Prior to the execution of the Site Plan Letter of Undertaking, the final engineering plans and requirements as outlined must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York has reviewed Site Development File DA.10.101 and provided comments in a letter dated January 31, 2011 including comments from the Region's Forestry Section to address existing and proposed trees along Dufferin Street. In addition, four masonry pillars proposed on Dufferin Street encroach on the Dufferin Street right-of-way and the existing stone entry feature also encroaches into the daylight triangle. The Owner and the Region are negotiating the details of an encroachment agreement for these landscape features that will continue to be located on the Regional property. The issues raised by the Region will be addressed to the satisfaction of the Region of York through the Region's conditions of Site Plan approval. The Region will require the Owner to enter into a Regional Site Plan Agreement.

Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.10.101 in accordance with OPA #600, By-law 1-88, the comments from City Departments and external public agencies and the area context. The Development Planning Department is satisfied that the proposed site plan and landscape plan are appropriate and compatible with the existing and permitted uses in the surrounding area. However, the Development Planning Department does not support the proposed roof articulation and parapet design and recommends that the building elevations be substantially upgraded as discussed in this report. Accordingly, the Development Planning Department recommends to Council that the Ontario Municipal Board (OMB) be advised that the City endorses Site Development File DA.10.101, subject to the conditions in this report, which includes that the Development Planning Department continue to work with the applicant to address the outstanding issues respecting the roof articulation and parapet design. Should an Ontario Municipal Board Hearing be scheduled to consider Site Development File DA.10.101 and the related Minor Variance Application A143/11, a recommendation is included directing City staff to attend in support of the recommendations included in this report, if approved.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. North, South & East Elevations
6. South & West Elevations

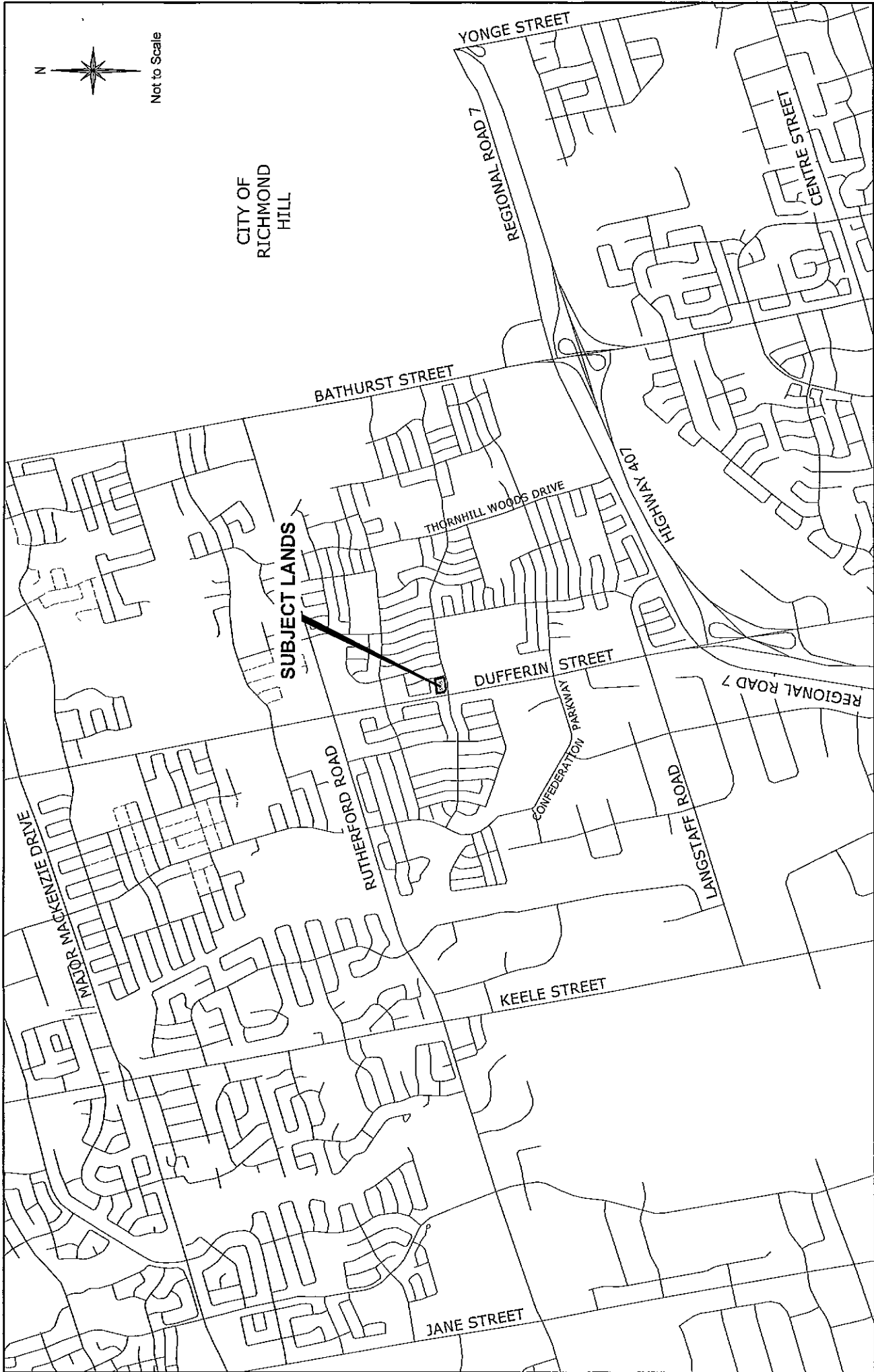
Report prepared by:

Laura Janotta, Planner, ext. 8634
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of development Planning, ext. 8407

Respectfully submitted,

GRANT UYEVAMA
Director of Development Planning

/LG



Not to Scale

CITY OF
RICHMOND
HILL

SUBJECT LANDS

Attachment 1

File: DA.10.101

Date: June 14, 2011



Development Planning Department

Context Location Map

Location: Part of Lot 14,
Concession 2

Applicant:
Dufferin Contwo Investments Ltd.

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Location Map

Location: Part of Lot 14,
Concession 2

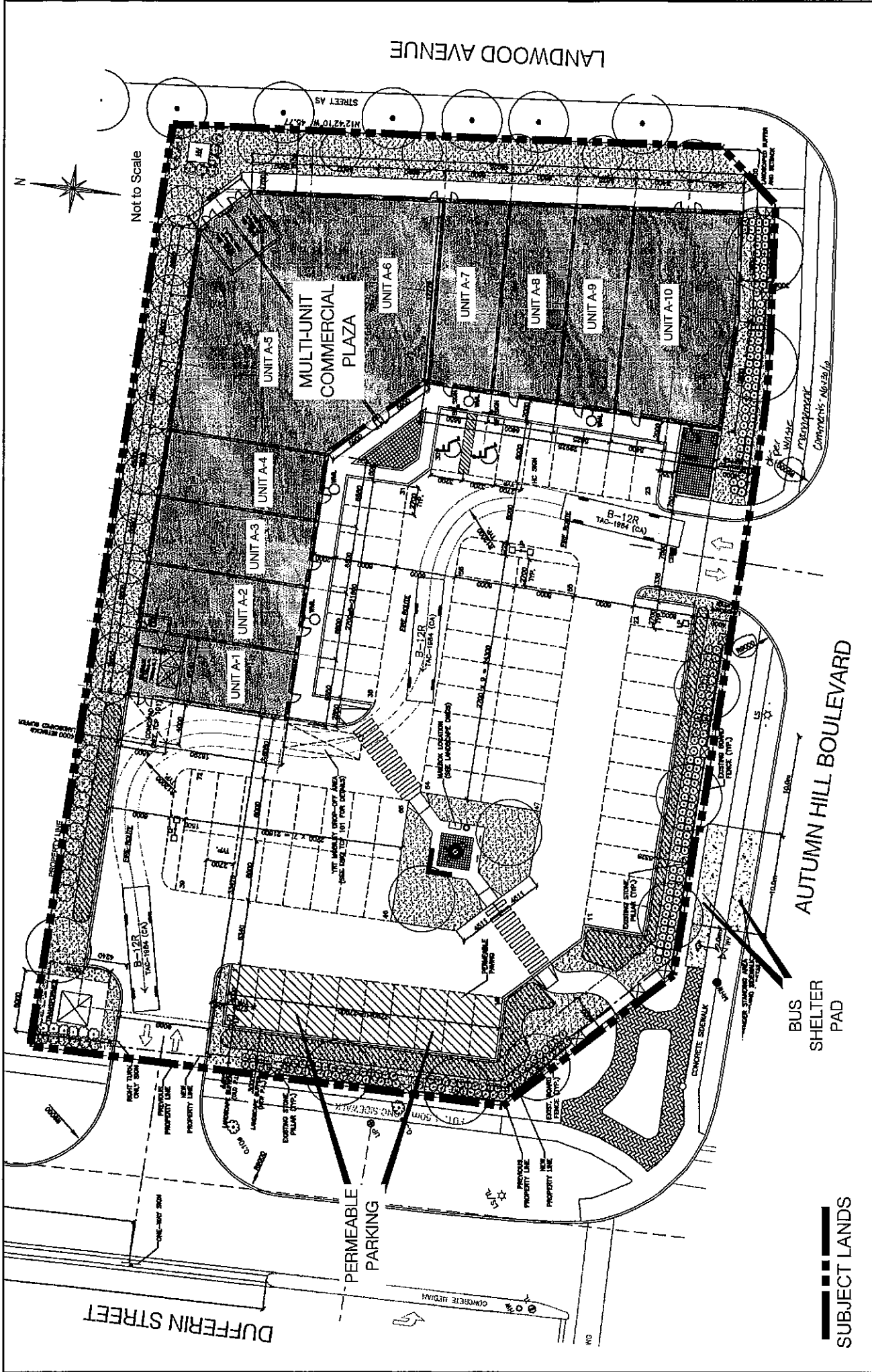
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Dufferin Contwo Investments Ltd.
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Attachment

File: DA.10.101
Date: June 14, 2011

2



Site Plan

Location: Part of Lot 14,
Concession 2

Applicant:
Dufferin Contwo Investments Ltd.

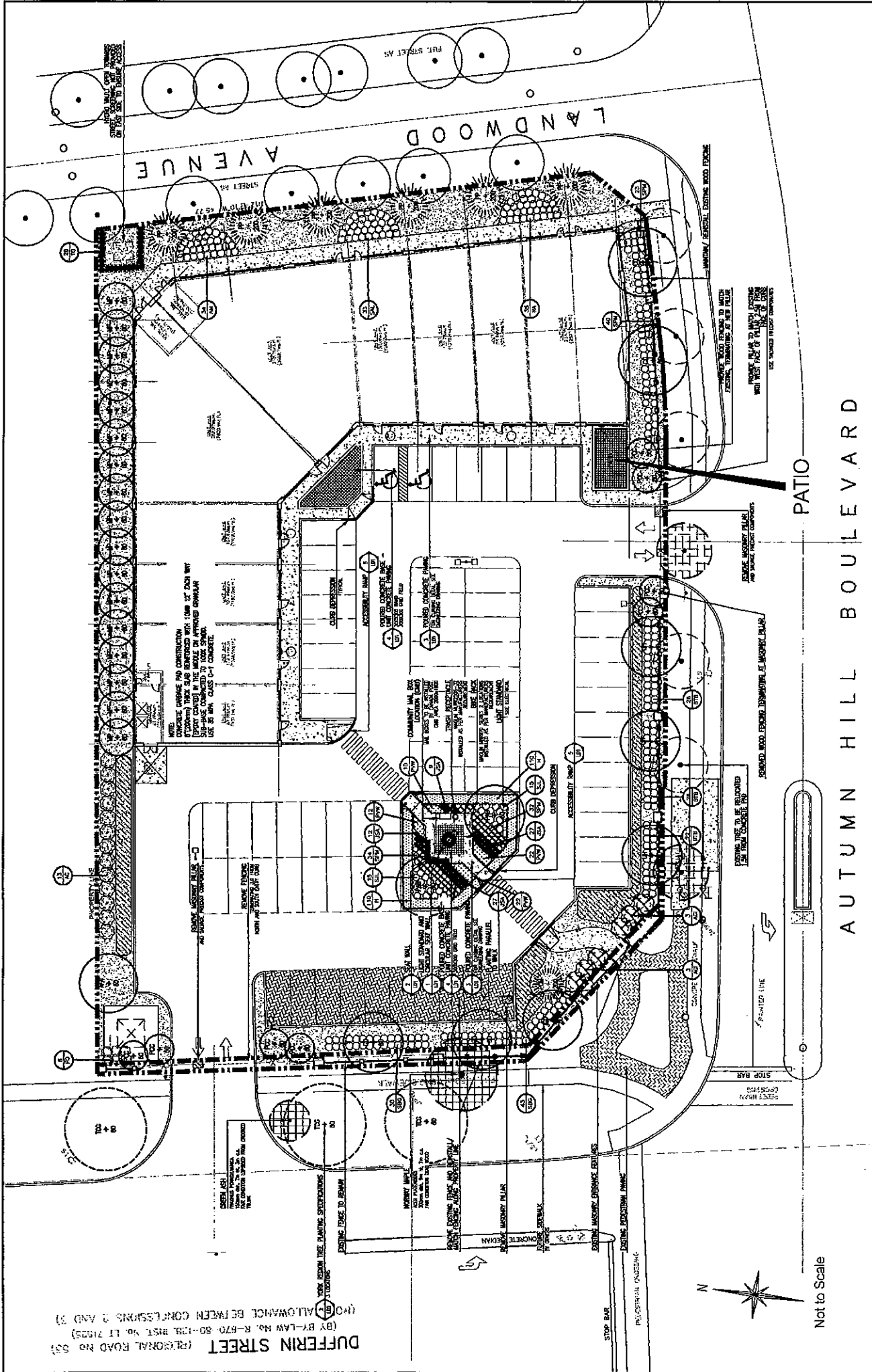
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Attachment

File: DA.10.101
Date: June 14, 2011

3



DUFFERIN STREET (RATIONAL ROAD NO. 55)
 (BY BY-LAW NO. R-670-80-129, INST. NO. LT 7185)
 (NO. ALLOWANCE BETWEEN CONCRETE 2 AND 3)

Landscape Plan

Location: Part of Lot 14,
 Concession 2

Applicant:
 Dufferin Contwo Investments Ltd.

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AUTUMN HILL BOULEVARD

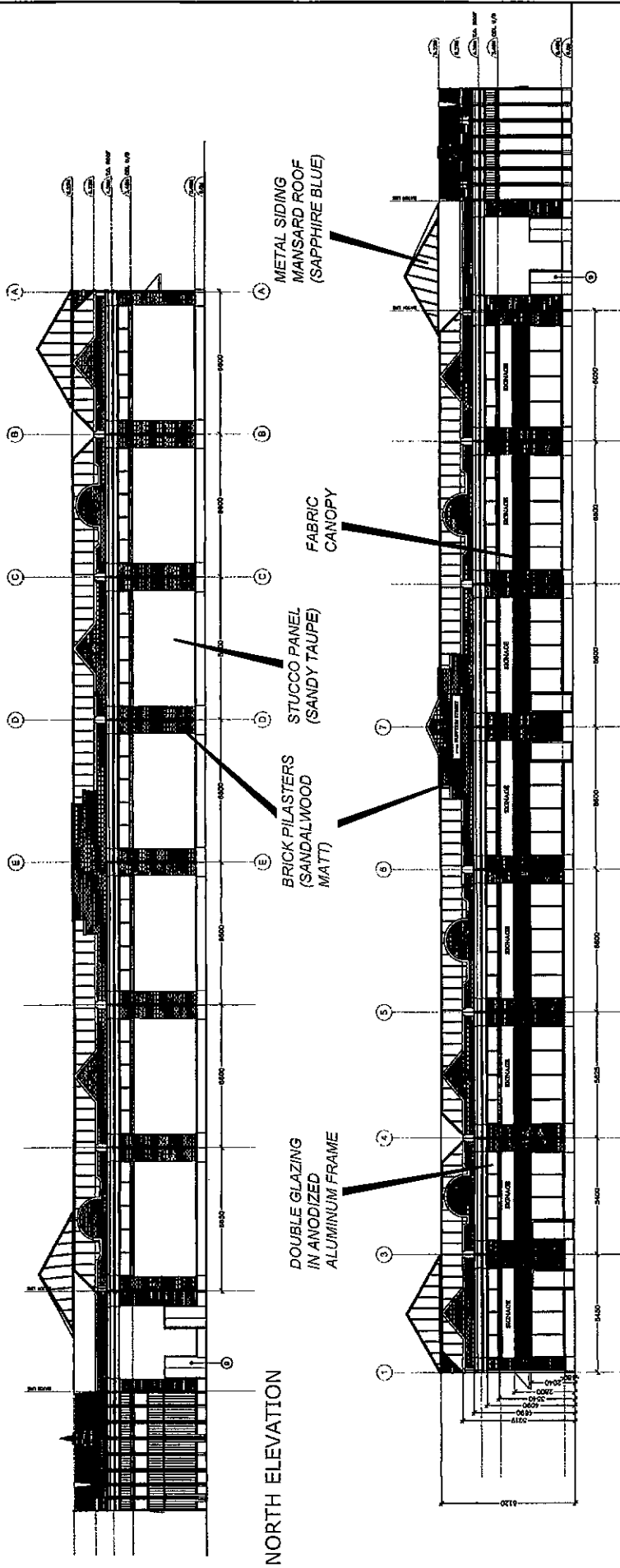
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Attachment

File: DA.10.101
 Date: June 14, 2011



Attachment 4



Not to Scale

Attachment 5

File: DA.10.101

Date: June 14, 2011

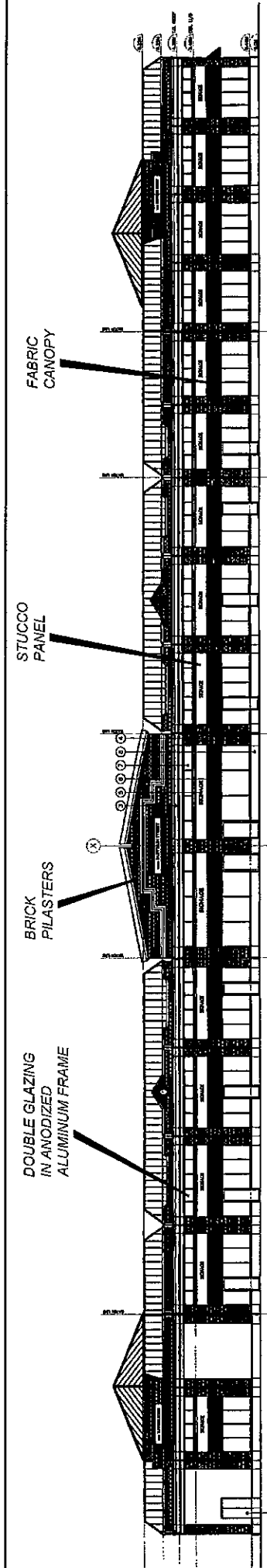


North, South, & East Elevation

Location: Part of Lot 14, Concession 2

Applicant: Dufferin Contwo Investments Ltd.

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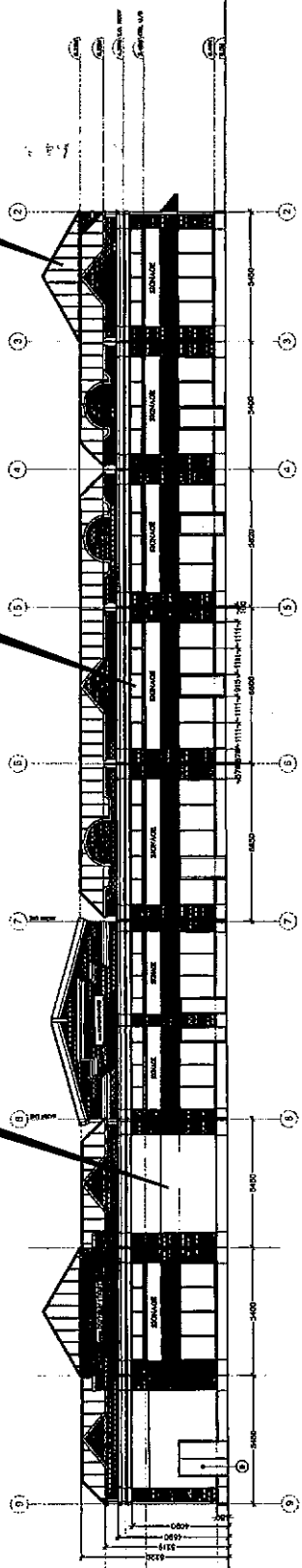


METAL SIDING MANSARD ROOF (SAPPHIRE BLUE)

DOUBLE GLAZING IN ANODIZED ALUMINUM FRAME

STUCCO PANEL (SANDY TAUPE)

SOUTH/WEST ELEVATION

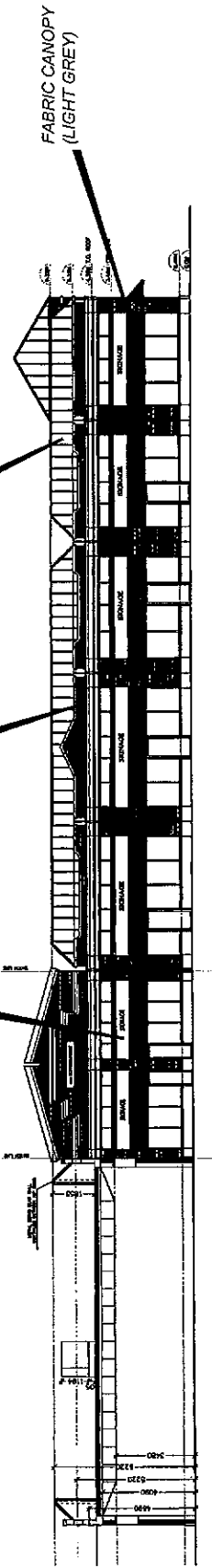


METAL SIDING MANSARD ROOF

BRICK PILASTERS (SANDALWOOD MATT)

STUCCO PANEL

WEST ELEVATION



CROSS SECTION UNIT A-3

Not to Scale

South & West Elevation



Location: Part of Lot 14,
 Concession 2
 Applicant:
 Dufferin Contwo Investments Ltd.
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